

**62A-14-107 Prepetition assessment and plan.**

- (1) Before the office may file a petition in court to be appointed guardian or conservator of a person, the office shall:
  - (a) conduct a face-to-face needs assessment, by someone other than a volunteer, to determine whether the person suffers from a mental or physical impairment that renders the person substantially incapable of:
    - (i) caring for his personal safety;
    - (ii) managing his financial affairs; or
    - (iii) attending to and providing for such necessities as food, shelter, clothing, and medical care, to the extent that physical injury or illness may result;
  - (b) assess the financial resources of the person based on information supplied to the office at the time of assessment;
  - (c) inquire and, if appropriate, search to determine whether any other person may be willing and able to serve as the person's guardian or conservator; and
  - (d) determine the form of guardianship or conservatorship to request of a court, if any, giving preference to the least intensive form of guardianship or conservatorship, consistent with the best interests of the person.
- (2) The office shall prepare an individualized guardianship or conservator plan for each ward within 60 days of appointment.

Enacted by Chapter 69, 1999 General Session